

#EO-711
Daw

SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS

POST POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN
STB DOCKET NO. AB-55 (Sub-No. 665X)

November 27, 2007

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

(X) Notice of Exemption () Petition for Exemption () Regulated Abandonment

(X) NO NEW COMMENTS WERE RECEIVED

() NEW COMMENTS WERE RECEIVED

On May 1, 2006, the Surface Transportation Board (Board) issued a decision in this proceeding indicating that the abandonment was subject to the following environmental conditions: (1) The CSX Transportation, Inc (CSXT) shall consult with the U.S. Army Corps of Engineers (Corps) regarding its requirements and, if applicable, shall comply with the reasonable requirements of the Corps; (2) CSXT shall consult with the U.S. Environmental Protection Agency (USEPA) to ensure that any concerns regarding applicable stormwater management and sediment control requirements are addressed and shall report the results of its consultations in writing to the Board's Section of Environmental Analysis (SEA); (3) CSXT shall consult with the USEPA to ensure appropriate consideration of the National Pollutant Discharge Elimination System (NPDES) requirements and shall comply with the reasonable NPDES requirements; (4) CSXT shall consult with the U.S. Fish and Wildlife Service (USFWS) regarding potential impacts from salvaging activities to Federally listed threatened and endangered species that may occur in the vicinity of the line and report the results of these consultations in writing to the Board's SEA; (5) CSXT shall consult with the National Park Service, Southeast Region, and the Kentucky Department of Parks regarding any impacts on wildlife sanctuaries, refuges, National or state parks or forests. CSXT shall report the results of these consultations in writing to the Board's SEA prior to the onset of salvage operations; (6) In the event that any archaeological sites, human remains, funerary items or associated artifacts are discovered during CSXT's salvage activities, CSXT will immediately cease all work and notify SEA, interested Federally recognized tribes, and the SHPO. SEA shall then consult with the SHPO, interested Federally recognized tribes, and CSXT to determine whether any mitigation measures are necessary. The exemption became effective on May 26, 2006.

On May 18, 2006, SEA recommended the imposition of two additional conditions, based on comments it received. The Kentucky Department of Environmental Protection (KDEP) indicated that grading associated with the proposed salvage activity could result in the disturbance of more than one acre of land and therefore stated that a Stormwater General Permit for Construction Activities under section 402 of the Clean Water Act would be required. Also, the National Geodetic Survey (NGS) commented that it had identified approximately 13 geodetic survey markers within the area of the proposed abandonment. Therefore, in addition to the six

aforementioned conditions, SEA recommended imposition of the following two conditions: (7) CSXT shall consult with USEPA (or in this case, the state agency authorized by USEPA to administer the stormwater program) regarding its permit requirements and comply with its reasonable requirements; and (8) CSXT shall notify NGS at least 90 days prior to beginning salvage activities so that plans can be made for the possible relocation of the geodetic station markers.

On June 15, 2006, CSXT submitted correspondence from USFWS indicating that the proposed abandonment would have no significant adverse impacts on Federally listed endangered or threatened species. On June 30, 2006, SEA recommended that condition 4 be removed.

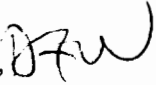
On September 25, 2006, CSXT submitted correspondence dated April 19, 2006 from KDEP stating that the work associated with the proposed abandonment would result in more than one acre of disturbance and would therefore require a Stormwater General Permit under Section 402 of the Clean Water Act. KDEP subsequently required CSXT to complete a Notice of Intent (NOI) to determine if further action would be necessary. On September 25, 2006, CSXT filed an NOI with KDEP and, as requested, provided a summary of its salvage procedure. The salvage states: that the underlying roadbed will remain intact; all debris will be kept away from streams and wetlands during salvage operations, then transported offsite following salvage; and all hazardous materials will be properly contained and all spills will be prevented from entering the waterways. According to CSXT, the KDEP reversed its decision on the permit requirement once it understood that the salvage procedure would not entail grading or other land disturbance activity. KDEP therefore concluded, via a phone conversation with CSXT, that a general stormwater permit would not be required. Based on the information presented, SEA finds that CSXT has fulfilled its agency consultation requirements, as well as the requirement to report the results back to SEA. Therefore, SEA recommends that all three conditions (2, 3 and 7) pertaining to stormwater be removed.

On October 19, 2006, CSXT submitted correspondence from the National Park Service (NPS), Southeast Region, and the Kentucky Department of Parks (KDP) indicating that there would be no impacts on national parks or national forests as a result of the proposed abandonment. SEA further determined that there would be no impacts on state-owned parklands, as well as Federal wildlife sanctuaries and refuges in Harlan and Letcher Counties, based on an internet search. On November 21, 2006, SEA recommended that condition 5 be removed.

On July 31, 2007, CSXT verbally indicated to SEA that it had provided NGS with the proper notification regarding salvage. SEA therefore finds that condition 8 has been satisfied and can be removed.

Based on the information provided, SEA finds that all applicable requirements have been met and recommends that conditions 2, 3, 7, and 8 be removed. Conditions 1 and 6 require no further action, and conditions 4 and 5 were previously removed.

SEA CONTACT:

Diana Wood, 
202-245-0302
woodd@stb.dot.gov

Attachments

SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS

11E0-346

POST POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB- 55 (Sub-No. 665X)

November 21, 2006

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

(X) Notice of Exemption () Petition for Exemption () Regulated Abandonment

() **NO NEW COMMENTS WERE RECEIVED**

(X) **NEW COMMENTS WERE RECEIVED**

SEA served an Environmental Assessment (EA) for this proceeding on May 1, 2006 for public review and comment. In the EA, SEA recommended six (6) environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

Comments on the EA

SEA RECEIVED COMMENTS FROM THE NATIONAL PARK SERVICE AND THE NATIONAL FOREST SERVICE INDICATING THAT THERE WOULD BE NO IMPACTS TO NATIONAL PARKS OR NATIONAL FORESTS AS A RESULT OF THE ABANDONMENT (SEE ATTACHED).

ON SEPTEMBER 7, 2006 AND OCTOBER 4, 2006, THE APPLICANT CONTACTED THE KENTUCKY DEPARTMENT OF PARKS BUT TO DATE, HAS NOT RECEIVED A RESPONSE ON POTENTIAL IMPACTS TO STATE PARK LAND. SEA HAS SINCE OBTAINED MAPS OF STATE-OWNED PARK LAND, AS WELL AS FEDERAL WILDLIFE SANCTUARIES AND REFUGES IN HARLAN AND LETCHER COUNTIES, AND HAS DETERMINED THAT NONE OF THESE RESOURCES WOULD BE IMPACTED FROM THE PROPOSED ABANDONMENT. THEREFORE, SEA RECOMMENDS THAT THE FOLLOWING CONDITION BE REMOVED:

PRIOR TO COMMENCEMENT OF ANY SALVAGE ACTIVITIES, CSXT SHALL CONSULT WITH THE NATIONAL PARKS SERVICE, SOUTHEAST REGION, AND THE KENTUCKY DEPARTMENT OF PARKS REGARDING ANY IMPACTS TO WILDLIFE SANTUARIES, REFUGES, NATIONAL OR STATE PARKS OR FORESTS. CSXT SHALL REPORT THE RESULTS OF THESE CONSULTATIONS IN WRITING TO THE BOARD'S SEA PRIOR TO THE ONSET OF SALVAGE OPERATIONS.

SEA CONTACT: Diana Wood, Contact 202-565-1552

Attachment



TRANSPORTATION

Dave Geraci

Manager - Network Rationalization

500 Water Street - J200
Jacksonville, FL 32202
(904) 359-1086
FAX (904) 359-1111

E1-2581

October 6, 2006

Surface Transportation Board
Section of Environmental Analysis

Attn: Ms. ~~Christa Dean~~ *Diana Wood*

1925 "K" Street NW - Suite 534

Washington, DC 20423-0001

RE: CSXT Proposed Abandonment
Harlan and Letcher Counties, KY
STB Docket AB-55 (Sub-No. 665X)

Dear Ms. Dean:

CSXT is submitting this letter in accordance with the Section of Environmental Analysis Assessment dated May 1, 2006 (36932 SEA). Enclosed, you will find email correspondence from the National Park Service and the Forest Service.

CSXT has not received a response from the Kentucky Department of Parks (KDP). The KDP website does not list a phone numbers or point of contact, however, there is a email link for correspondence. CSXT has submitted the two enclosed emails soliciting comment with no response.

Based on the correspondence copied to your office on September 25, 2006 and the attached email correspondence, CSXT contends that all consultation conditions have been met.

Sincerely,

Attachment

Copy: Mr. Steven Armbrust, CSXT, 500 Water Street-J150, Jacksonville, FL, 32202
Mr. Lou Gitomer, 600 Baltimore Ave - Suite 301, Towson, MD, 21204

Geraci, Dave

From: Anita_Barnett@nps.gov
Sent: Tuesday, October 03, 2006 2:44 PM
To: Geraci, Dave
Subject: Re: CSX Abandonment

Attachments: ky-095-1004389_stb.pdf; ky1.pdf; E1 - Standard CSX.doc



ky-095-1004389_stb.pdf (204 KB...)



ky1.pdf (64 KB)



E1 - Standard CSX.doc (72 KB)

Dave,

The National Park Service has no comments or concerns with the KY64B-CSXT Proposed Abandonment - Southern region Hunting Division - West, CV Subdivision, a portion of the Poor Fork Branch from Milepost OWC 261.1 (near Cumberland) to Milepost OWC 262.3 and the entire Scotia Branch from Milepost OWD 262.21 to the end of track at Milepost OWD 274 (near Scotia), a distance of 12.9 miles, Harland and Letcher Counties, Kentucky. Docket No. AB-55 (Sub-No. 665X)

Thank you for the opportunity to review and comment.

FYI, below is the comment I received from the Forrest Service:

Anita,

Thank you for the notice. The boundary that you saw is likely our proclamation boundary, which is often much wider than the actual boundary of our National Forest lands. We only have one small (1,000 acre) tract of land in KY. I looked at the map and our tract of land in KY is quite a ways from this project so there will be no impacts on our lands and we have no comments on the project.

Ken Landgraf
Planning, Timber and Budget Staff Officer George Washington and Jefferson National Forests
(540) 265-5170
e-mail: klandgraf@fs.fed.us

Anita Barnett
Environmental Protection Specialist
Planning and Compliance Division
Southeast Region
National Park Service
404-562-3124 x 705

"Geraci, Dave"
<Dave_Geraci@csx.com>

10/02/2006 09:24
AM AST

To: <anita_barnett@nps.gov>
cc:
Subject: CSX Abandonment

Anita,

Thank you for your time and the return phone call this morning. Per our conversation, I have attached the two STB (Surface Transportation Board) filing maps, the environmental report (with the salvage activity procedures highlighted). As I stated, the STB has issued a favorable decision authorizing CSX to remove its track material once we have consulted with the NPS (May 1, 2006 decision).

The filing and the STB's decisions can be found on the STB website (www.stb.dot.gov) using the filing number (AB 55 Sub No 665X)

The line of railroad is described as follows:

KY 64B - CSXT Proposed Abandonment - Southern Region, Huntington Division - West, CV Subdivision, a portion of the Poor Fork Branch from Milepost OWC 261.1 (near Cumberland) to Milepost OWC 262.3 and the entire Scotia Branch from Milepost OWD 262.21 to the end of track at Milepost OWD 274 (near Scotia), a distance of 12.9 miles, Harland and Letcher Counties, Kentucky.

Docket No. AB-55 (Sub-No. 665X)

Please do not hesitate to call if you should have any questions or comments.

Regards,

Dave Geraci
Manager - CSX Network Rationalization
(904) 359-1086

This email transmission and any accompanying attachments may contain CSX privileged and confidential information intended only for the use of the intended addressee. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above CSX email address. Sender and CSX accept no liability for any damage caused directly or indirectly by receipt of this email. (See attached file: ky-095-1004389_stb.pdf) (See attached file: kyl.pdf) (See attached file: E1 - Standard CSX.doc)

Geraci, Dave

From: Geraci, Dave
Sent: Thursday, September 07, 2006 4:03 PM
To: 'kentuckystateparks@ky.gov'
Cc: Geraci, Dave
Subject: KY State Parks Web
Attachments: ky-095-1004409_stb.pdf; ky2.pdf

Dear Kentucky Department of Parks,

CSX Transportation has filed for an abandonment of our rail line (as shown on the attached maps). The Surface Transportation Board – Section of Environmental Analysis (STB – SEA) has issued a decision (dated May 1, 2006) that has required us to consult with your agency in order to solicit comment regarding the proposed action.

As an explanation, upon receiving abandonment authority, removal of material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. CSX does not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil, and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way nor be placed or left in streams or wetlands, or along the banks of such waterways. Also, during track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways.

Based upon this course of action, CSX does not believe that the proposed action will have a negative impact on any wildlife sanctuaries, refuges, National or State parks or forests.

Please feel free to contact me at your convenience regarding this matter.

Sincerely,

Dave Geraci

Manager - CSX Network Rationalization
(904) 359-1086

10/4/2006

Geraci, Dave

From: Geraci, Dave
Sent: Wednesday, October 04, 2006 7:41 AM
To: 'kentuckystateparks@ky.gov'
Cc: Geraci, Dave
Subject: RE: KY State Parks Web
Importance: High
Attachments: Re: CSX Abandonment

Dear Kentucky Department of Parks,

Please be advised that CSX has received a "no effect"/"no impact" response from the National Park Service and the Kentucky Forest Service (see attached). CSX proposes to move forward with abandonment procedures and would very much like to consider any comments that your department may have. Based on the responses, and the lack of a phone number by which I can call anyone in your office, if no response is received by Friday, October 6, 2006, CSX will contend that your department has no comments and takes a "no effect/no impact" response for the proposed action.

If there is are comments or concerns, or should your department need any further time to review, please feel free to contact me by email or via phone at (904) 359-1086.

Thank you,

Dave Geraci

Manager - CSX Network Rationalization
(904) 359-1086

From: Geraci, Dave
Sent: Thursday, September 07, 2006 4:03 PM
To: 'kentuckystateparks@ky.gov'
Cc: Geraci, Dave
Subject: KY State Parks Web

Dear Kentucky Department of Parks,

CSX Transportation has filed for an abandonment of our rail line (as shown on the attached maps). The Surface Transportation Board – Section of Environmental Analysis (STB – SEA) has issued a decision (dated May 1, 2006) that has required us to consult with your agency in order to solicit comment regarding the proposed action.

As an explanation, upon receiving abandonment authority, removal of material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. CSX does not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil, and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way nor be placed or left in streams or wetlands, or along the banks of such waterways. Also, during track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways.

Based upon this course of action, CSX does not believe that the proposed action will have a negative impact on any wildlife sanctuaries, refuges, National or State parks or forests.

Please feel free to contact me at your convenience regarding this matter.

10/4/2006

Sincerely,

Dave Geraci

Manager - CSX Network Rationalization

(904) 359-1086

10/4/2006

SURFACE TRANSPORTATION BOARD
OFFICE OF ECONOMICS, ENVIRONMENTAL ANALYSIS,
AND ADMINISTRATION

MEMORANDUM

TO : Ann Newman, Director's Office
Office of Proceedings

FROM : Victoria J. Rutson, Chief *JWR fw*
Section of Environmental Analysis

SUBJECT : POST POST ENVIRONMENTAL ASSESSMENT RECOMMENDATIONS
IN DOCKET NO. AB-55 (SUB-NO. 665X)

DATE: June 30, 2006

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:
(X) Notice of Exemption () Petition For Exemption () Regulated Abandonment

() **NO COMMENTS TO THE EA RECEIVED**

() The following recommendations in the EA are unchanged:

() Historic () Fish & Wildlife () Corps of Engineers () No Conditions

() Other:

() Independent consultation requires the following new or changed conditions:

() Historic () Fish & Wildlife () Corps of Engineers () No Conditions

() Other:

(SEE 1 below for specific changes.)

(X) **COMMENTS TO THE EA RECEIVED**

(X) The following conditions should be removed:

() Historic; (X) Fish & Wildlife; () Corps of Engineers; () U.S. Environmental Protection Agency; () National Park Service; () Other

() Based on the comments, we recommend the following new conditions or changed conditions:

() U.S. Environmental Protection Agency () Fish & Wildlife () Corps of Engineers () No conditions

() National Geodetic Survey condition.

(SEE 1 below for specific changes.)

1. THE FOLLOWING U.S. FISH & WILDLIFE SERVICE CONDITION SHOULD BE REMOVED BECAUSE THE SUBJECT AGENCY HAS DETERMINED THAT THE PROPOSED ABANDONMENT WILL HAVE NO SIGNIFICANT ADVERSE IMPACTS ON FEDERALLY LISTED ENDANGERED OR THREATENED SPECIES (SEE ATTACHED LETTER):

1. Prior to commencement of any salvage activities, CSXT shall consult with the U.S. Fish and Wildlife Service regarding potential impacts from salvaging activities to Federally listed threatened and endangered species that may occur in the vicinity of the line. CSXT shall report the results of these consultations in writing to the Board's SEA prior to the onset of salvage operations.

Attachment

SEA Contact & Tel. No.: Diana Wood (X 1552)

cc: Public Docket
SEA Chron



TRANSPORTATION
Dave Geraci
Manager - Network Rationalization

11-55-665X
500 Water Street - J200
Jacksonville, FL 32202
(904) 359-1086
FAX (904) 359-1111

#EI-2357
DAW

June 9, 2003

Surface Transportation Board
Section of Environmental Analysis
1925 "K" Street NW -Suite 534
Washington, DC 20423-0001

RE: CSXT Proposed Abandonment - Harlan and Letcher Counties,
Kentucky. Docket No. AB-55 (Sub No. 665X)

Gentlemen:

This refers to CSX Transportation's Notice of Exemption filed on April 6, 2006,
requesting authority to abandon its rail line described above.

Attached is a letter received June 6, 2006, from the U.S. Department of the
Interior, Fish and Wildlife Service in Cookeville, Tennessee stating *"No significant
adverse impacts to wetlands or federally listed endangered species or threatened
species are anticipated from this proposal."*

Sincerely,

Attachment

Copy: Mr. Lou Gitomer, 1455 F Street N.W., Suite 225, Washington, DC 20005
Mr. Steve Armbrust, 500 Water Street - J200, Jacksonville, FL 32202



Dave Geraci
Manager - Network Rationalization

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-1086
FAX: (904) 359-1111
E-Mail: Dave_Geraci@CSX.com

OFFICE

March 1, 2006

U.S. Department of the Interior
Fish & Wildlife Service
446 Neal Street
Cookeville, TN 38501

RECEIVED

RE: CSX Transportation, Inc.
Proposed Abandonment
Docket No. AB-55 (Sub. No. 665X)

Gentlemen:

Please be advised that on March 24, 2006, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon 12.99 miles of railroad from Railroad Milepost OWC 261.1 (near Cumberland) to Railroad Milepost OWC 262.3 and Railroad Milepost OWD 262.21 to the end of track at Railroad Milepost OWD 274 (near Scotia), Harlan and Letcher Counties, Kentucky.

Attached is a preliminary Environmental Report describing the proposed action and any expected environmental effects. We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, Washington, DC 20423, telephone (202) 565-1545 and refer to the above Docket Numbers. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to SEA (with copy to me) within three weeks would be appreciated.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 359-1086, or by mail at the above address.

Sincerely,

Attachment
Copy:
Surface Transportation Board
Section of Environmental Analysis
1925 "K" Street NW - Suite 534
Washington, DC 20423-0001

No significant adverse impacts to wetlands
or federally listed endangered or threatened
species are anticipated from this proposal.

for Reynold Koch June 1, 2006
Field Supervisor Date
U. S. Fish and Wildlife Service
Frankfort, KY 40601

SURFACE TRANSPORTATION BOARD
OFFICE OF ECONOMICS, ENVIRONMENTAL ANALYSIS,
AND ADMINISTRATION

MEMORANDUM

TO : Ann Newman, Director's Office
Office of Proceedings

FROM : Victoria J. Rutson, Chief *Eqw for*
Section of Environmental Analysis

SUBJECT : POST ENVIRONMENTAL ASSESSMENT RECOMMENDATIONS IN
DOCKET NO. AB-556 (SUB-NO. 665X)

DATE: May 18, 2006

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:
(X) Notice of Exemption () Petition For Exemption () Regulated Abandonment

() **NO COMMENTS TO THE EA RECEIVED**

() The following recommendations in the EA are unchanged:

() Historic () Fish & Wildlife () Corps of Engineers () No Conditions

() Other:

() Independent consultation requires the following new or changed conditions:

() Historic () Fish & Wildlife () Corps of Engineers () No Conditions

() Other:

(SEE 1 below for specific changes.)

(X) **COMMENTS TO THE EA RECEIVED**

(X) The following conditions should remain the same:

(X) Historic; (X) Fish & Wildlife; (X) Corps of Engineers; (X) U.S. Environmental Protection Agency; (X) National Park Service; (X) Kentucky Department of Parks

(X) Based on the comments, we recommend the following new conditions or changed conditions:

(X) U.S. Environmental Protection Agency () Fish & Wildlife () Corps of Engineers () No conditions

(X) National Geodetic Survey condition.

(SEE 1 below for specific changes.)

1. THE FOLLOWING NATIONAL GEODETIC SURVEY AND THE U.S. ENVIRONMENTAL PROTECTION AGENCY CONDITIONS SHOULD BE ADDED PER THE ATTACHED LETTERS:

1. The National Geodetic Survey (NGS) has identified approximately 13 geodetic survey markers within the proposed abandonment. Therefore, the CSX Transportation, Inc. shall notify the NGS at least 90 days prior to beginning salvage activities in order to plan for the possible relocation of the geodetic station markers by NGS.

2. The U.S. Environmental Protection Agency (USEPA) has indicated that the grading activity associated with proposed salvage will result in the disturbance of more than one acre of land and will require a Stormwater General Permit for Construction Activities under Section 402 of the Clean Water Act. Therefore, prior to commencement of any salvage activities, CSX Transportation shall consult with USEPA regarding its permit requirements and shall comply with its reasonable requirements.

Attachment

SEA Contact & Tel. No.: Diana Wood (X 1552)

cc: Public Docket
SEA Chron



Simon Monroe
<Simon.Monroe@noaa.gov>
05/02/2006 05:26 PM

To Dave_Geraci@CSX.com

cc Surface Transportation Board <sea@stb.dot.gov>, National
Society of Professional Surveyors <pat.canfield@acsm.net>,
"Mackay, Ross (COT OGIS)" <Ross.Mackay@ky.gov>,
bcc

Subject [Fwd: [Fwd: NGS Response, STB Docket AB-55 (SUB NO.
665X)]]

Thank you for sharing your railroad abandonment environmental report for
Cumberland, Harlan County, KENTUCKY.

Approximately 13 geodetic survey marks may be located in the area
described. If marks will be disturbed by the abandonment, NGS requests
90-day advance notice to attempt their formal relocation. These marks
are described on the attached file. Additional advice is provided at
<http://geodesy.noaa.gov/marks/railroads/>

|Dist|PID...|H V|Vert_Source|Approx.|Approx..|Stab|Designation

|----|-----|~ -|-----|-----|-----|----|-----

|....|GA1134|. 2|88/ADJUSTED|N365858|W0825838|C...|A 28

|....|GA1132|. 2|88/ADJUSTED|N365835|W0825918|B...|J 290

|....|GA1133|. 2|88/ADJUSTED|N365843|W0825919|B...|Z 27

|....|GA1135|. 2|88/ADJUSTED|N365926|W0825711|C...|B 28

|....|GA3076|. 2|88/ADJUSTED|N365937|W0825614|....|C 28

|....|GA3077|. 2|88/ADJUSTED|N365949|W0825511|....|D 28

|....|GY2947|. 2|88/ADJUSTED|N370023|W0825357|....|E 28

|....|GY0996|. 2|88/ADJUSTED|N370126|W0825217|C...|G 28

|....|GY0997|. 2|88/ADJUSTED|N370151|W0825148|C...|H 28

|....|GY0998|. 2|88/ADJUSTED|N370204|W0825101|A...|1585

|....|GY0999|. 2|88/ADJUSTED|N370219|W0825028|C...|J 28

|....|GY1000|. 2|88/ADJUSTED|N370243|W0825000|C...|K 28

|....|GY2948|. 2|88/ADJUSTED|N370302|W0824919|....|L 28



TRANSPORTATION

Dave Geraci

Manager - Network Rationalization

500 Water Street - J200
Jacksonville, FL 32202
(904) 359-1086
FAX (904) 359-1111

April 28, 2006

Surface Transportation Board
Section of Environmental Analysis
1925 "K" Street NW -Suite 534
Washington, DC 20423-0001

RE: CSXT Proposed Abandonment
Harlan and Letcher Counties, KY
STB Docket AB-55 (Sub-No. 665X)

Gentlemen:

This refers to CSX Transportation's Notice of Exemption filed on April 4, 2006, requesting authority to abandon its rail line described above. Enclosed please find a copy of a letter dated April 19, 2006 (received April 28, 2006) from Mr. Larry Sowder of the Kentucky Department of Environmental Protection stating "The activity as described will result in the disturbance of more than one acre and will require coverage under the Storm Water General Permit for Construction Activities."

Sincerely,

Attachment

Copy: Mr. Steven Armbrust, CSXT, 500 Water Street-J150, Jacksonville, FL, 32202
Mr. Lou Gitomer, 118 Sunnymeadow Lane, Reisterstown, MD 21136



ENVIRONMENTAL AND PUBLIC PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Ernie Fletcher
Governor

Frankfort Office Park
14 Reilly Road
Frankfort, Kentucky 40601
www.kentucky.gov

LaJuana S. Wilcher
Secretary

April 19, 2006

Mr. Dave Geraci, Manager
Network Rationalization
CSX Transportation
600 Water Street - J200
Jacksonville, Florida 32202

Re: Rail Line Abandonment
Harlan and Letcher Counties
Kentucky

Dear Mr. Geraci:

The Division of Water has reviewed your letter of February 14, 2006 describing the proposed work associated with the removal of 12.9 miles of rail line from Cumberland, Harlan County to Scotia, Letcher County. We can not concur that a permit under Section 402 will not be required. The activity as described will result in the disturbance of more than one acre and will require coverage under the Storm Water General Permit for Construction Activities (KYR10000). For your convenience the Notice of Intent (NOI-SW) for this permit can be obtained at the following web address:

http://www.water.ky.gov/homepage_repository/kpdes_permit_aps.htm

Should you have any questions regarding this matter, please contact me at (502) 564-2225, extension 472 or E-mail at Larry.Sowder@ky.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry J. Sowder".

Larry J. Sowder, KPDES Permit Writer
Industrial Section
KPDES Branch
Division of Water

LJS:jm

c: Division of Water Files



Dave Geraci
Manager - Network Rationalization

500 Water Street - J200
Jacksonville, FL 32202
(904) 359-1086
FAX (904) 359-1111

September 25, 2006

Mr. Larry Sowder
Kentucky Department for
Environmental Protection
Division of Water
14 Reilly Road
Frankfort, KY 40601

RE: CSXT Proposed Abandonment
Harlan and Letcher Counties, KY
STB Docket AB-55 (Sub-No. 665X)

Dear Mr. Sowder:

Thank you for your letter dated April 19, 2006 and our recent telephone conversations. Per our correspondence, attached you will find the completed Kentucky Pollutant Discharge Elimination System (KPDES) Form "NOI-SW", additional maps covering the specific location and the outline of the proposed action.

By completion of this form, CSX will consider the following Surface Transportation Board - Section of Environmental Analysis conditions met (Decision 36932, May 1, 2006):

1. "...consult with the U.S. Environmental Protection Agency (USEPA) to ensure that any concerns regarding applicable stormwater management and sediment control requirements are addressed...report the results of its consultations in writing to the Surface Transportation Board (Board) Section of Environmental Analysis (SEA)..."
2. "...ensure appropriate consideration of the National Pollutant Discharge Elimination System (NPDES) requirements..."

CSX will advise if there are any changes to the proposed action which would require additional permitting or changes to the current request.

Please do not hesitate to contact me should you have any further questions.

Sincerely,

Attachments

Copy: Mr. Steven Ambrust, CSXT, 500 Water Street-J150, Jacksonville, FL, 32202
Mr. Lou Gitomer, 600 Baltimore Ave, Suite 301, Towson, MD, 21204
Mr. Archie Arthur, CSXT, 500 Water Street-J430, Jacksonville, FL 32202
STB - SEA, 1925 K Street NW, Suite 534, Washington, DC 20423-0001



**ENVIRONMENTAL AND PUBLIC PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

Ernie Fletcher
Governor

Frankfort Office Park
14 Reilly Road
Frankfort, Kentucky 40601
www.kentucky.gov

Lajuana S. Wilcher
Secretary

April 19, 2006

Mr. Dave Geraci, Manager
Network Ratioinalization
CSX Transportation
600 Water Street - J200
Jacksonville, Florida 32202

Re: Rail Line Abandonment
Harlan and Letcher Counties
Kentucky

Dear Mr. Geraci:

The Division of Water has reviewed your letter of February 14, 2006 describing the proposed work associated with the removal of 12.9 miles of rail line from Cumberland, Harlan County to Scotia, Letcher County. We can not concur that a permit under Section 402 will not be required. The activity as described will result in the disturbance of more than one acre and will require coverage under the Storm Water General Permit for Construction Activities (KYR10000). For your convenience the Notice of Intent (NOI-SW) for this permit can be obtained at the following web address:

http://www.water.ky.gov/homepage_repository/kpdes_permit_aps.htm

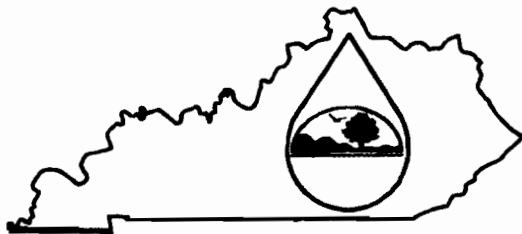
Should you have any questions regarding this matter, please contact me at (502) 564-2225, extension 472 or E-mail at Larry.Sowder@ky.gov.

Sincerely,

Larry J. Sowder, KPDES Permit Writer
Industrial Section
KPDES Branch
Division of Water

LJS:jm

c: Division of Water Files

KPDES FORM NOI-SW


**Kentucky Pollutant Discharge Elimination System
(KPDES)
Notice of Intent (NOI)
for Storm Water Discharges
Associated with Industrial Activity Under the
KPDES General Permit**

Submission of this Notice of Intent constitutes notice that the party identified in Section I of this form intends to be authorized by a KPDES permit issued for storm water discharges associated with industrial activity. Becoming a permittee obligates such discharger to comply with the terms and conditions of the permit.

ALL NECESSARY INFORMATION MUST BE PROVIDED ON THIS FORM (See Instructions on back)

I. Facility Operator Information

Name:	CSX Transportation, Inc.	Phone:	(904) 359-7473
Address:	500 Water Street - J430	Status of Owner/Operator:	Private
City, State, Zip Code:	Jacksonville, Florida 32202		

II. Facility/Site Location Information

Name:	CSX Transportation Railroad Line Segment		
Address:	Railroad Milepost OWC 261.1 (near Cumberland) to OWC 262.3 (near Cumberland Junction) and OWD 262.21 (near Cumberland Junction) to end of line at OWD 274 (near Scotia). See Attached Map.		
City, State, Zip Code:	Cumberland to Scotia, 40823, 40862, 40826		
County:	Harlan and Letcher Counties		
Site Latitude: (degrees/minutes/seconds)	N/A	Site Longitude: (degrees/minutes/seconds)	N/A

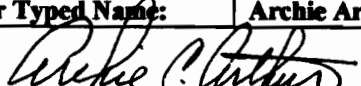
III. Site Activity Information

MS4 Operator Name:	N/A						
Receiving Water Body:	Poor Fork Branch (waterway)						
Are there existing quantitative data?	Yes <input type="checkbox"/> If Yes, submit with this form. No <input checked="" type="checkbox"/>						
SIC or Designated Activity Code Primary	4011	2nd		3rd		4th	
If this facility is a member of a Group Application, enter Group Application Number:						No	
If you have other existing KPDES Permits, enter Permit Numbers:				N/A		N/A	

IV. Additional Information Required FOR CONSTRUCTION ACTIVITIES ONLY

Project Start Date:	TBD	Completion Date:	TBD
Estimated Area to be disturbed (in acres):	greater than one acre		
Is the Storm Water Pollution Prevention Plan in Compliance with State and/or Local Sediment and Erosion Plans?	Yes <input type="checkbox"/> No <input type="checkbox"/>		

V. Certification: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Printed or Typed Name:	Archie Arthur
	9-25-06

**Kentucky Pollutant Discharge Elimination System (KPDES)
Instructions
Notice of Intent (NOI) for Storm Water Discharges Associated with Industrial Activity
To Be Covered Under The KPDES General Permit**

WHO MUST FILE A NOTICE OF INTENT (NOI) FORM

Federal law at 40 CFR Part 122 prohibits point source discharges of stormwater associated with industrial activity to a water body of the Commonwealth of Kentucky without a Kentucky Pollutant Discharge Elimination System (KPDES) permit. The operator of an industrial activity that has such a storm water discharge must submit a NOI to obtain coverage under the KPDES Storm Water General Permit. If you have questions about whether you need a permit under the KPDES Storm Water program, or if you need information as to whether a particular program is administered by the state agency, call the Storm Water Contact, Industrial Section, Kentucky Division of Water at (502) 564-3410.

WHERE TO FILE NOI FORM

NOIs must be sent to the following address:

Section Supervisor
Inventory & Data Management Section
KPDES Branch, Division of Water
Frankfort Office Park
14 Reilly Road
Frankfort, KY 40601

COMPLETING THE FORM

Type or print legibly in the appropriate areas only. If you have any questions regarding the completion of this form call the Storm Water Contact, Industrial Section, at (502) 564-3410.

SECTION I - FACILITY OPERATOR INFORMATION

Give the legal name of the person, firm, public organization, or any other entity that operates the facility or site described in this application. The name of the operator may or may not be the same as the name of the facility. The responsible party is the legal entity that controls the facility's operation, rather than the plant or site manager. Do not use a colloquial name. Enter the complete address and telephone number of the operator.

Enter the appropriate letter to indicate the legal status of the operator of the facility.

F = Federal M = Public (other than federal or state)
S = State P = Private

SECTION II - FACILITY/SITE LOCATION INFORMATION

Enter the facility's or site's official or legal name and complete street address, including city, state, and ZIP code.

SECTION III - SITE ACTIVITY INFORMATION

If the storm water discharges to a municipal separate storm sewer system (MS4), enter the name of the operator of the MS4 (e.g., municipality name, county name) and the receiving water of the discharge from the MS4. (A MS4 is defined as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by a state, city, town, borough, county, parish, district, association, or other public body which is designed or used for collecting or conveying storm water.)

If the facility discharges storm water directly to receiving water(s), enter the name of the receiving water.

Indicate whether or not the owner or operator of the facility has existing quantitative data that represent the characteristics and concentration of pollutants in storm water discharges. If data is available submit with this form.

List, in descending order of significance, up to four 4-digit standard industrial classification (SIC) codes that best describe the principal products or services provided at the facility or site identified in Section II of this application.

If the facility listed in Section II has participated in Part 1 of an approved storm water group application and a group number has been assigned, enter the group application number in the space provided.

If there are other KPDES permits presently issued for the facility or site listed in Section II, list the permit numbers.

SECTION IV - ADDITIONAL INFORMATION REQUIRED FOR CONSTRUCTION ACTIVITIES ONLY

Construction activities must complete Section IV in addition of Sections I through III. Only construction activities need to complete Section IV.

Enter the project start date and the estimated completion date for the entire development plan.

Provide an estimate of the total number of acres of the site on which soil will be disturbed (round to the nearest acre).

Indicate whether the storm water pollution prevention plan for the site is in compliance with approved state and/or local sediment and erosion plans, permits, or storm water management plans.

SECTION V - CERTIFICATION

Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:

For a corporation: by a responsible corporate officer, which means: (i) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

For a partnership or sole proprietorship: by a general partner or the proprietor; or

For a municipality, state, Federal, or other public facility: by either a principal executive officer or ranking elected official.

Cumberland River Coal Co.

Cumberland Jct.

Big Stone Gap

Baxter
Harlan

Switchback

Letcher Co.

1103

160

1679

119

Scully Branch

Interest Area

510

Cumberland

119

Kentucky
Harlan Co.

160

Wise Co.

END ABANDONMENT
OWH 271.06 = V.S. 626+00 +/-

To Baxter
V.S. 2819+11 +/-
V.S. 6400

Clover Fork Branch

BEGIN ABANDONMENT
OWH 258.5 = V.S. 2778+91 +/-

Virginia
Lee Co.

To Big Stone Gap

606

LEGEND

CSXT Operating Corridor
Proposed Abandonment

Total Distance - 12.5 Miles +/-

SOUTHERN REGION
HUNTINGTON - WEST DIVISION
CV SUBDIVISION

CLOVER FORK BRANCH:
OWH 258.5 - OWH 271.06
STB Docket No. AB55
(Sub. No. 667X)

CSX TRANSPORTATION

**Proposed Abandonment of a Portion
of the CLOVER FORK BRANCH**

OWH 258.5 - OWH 271.06
Harland County, KY

CSX
REAL ESTATE

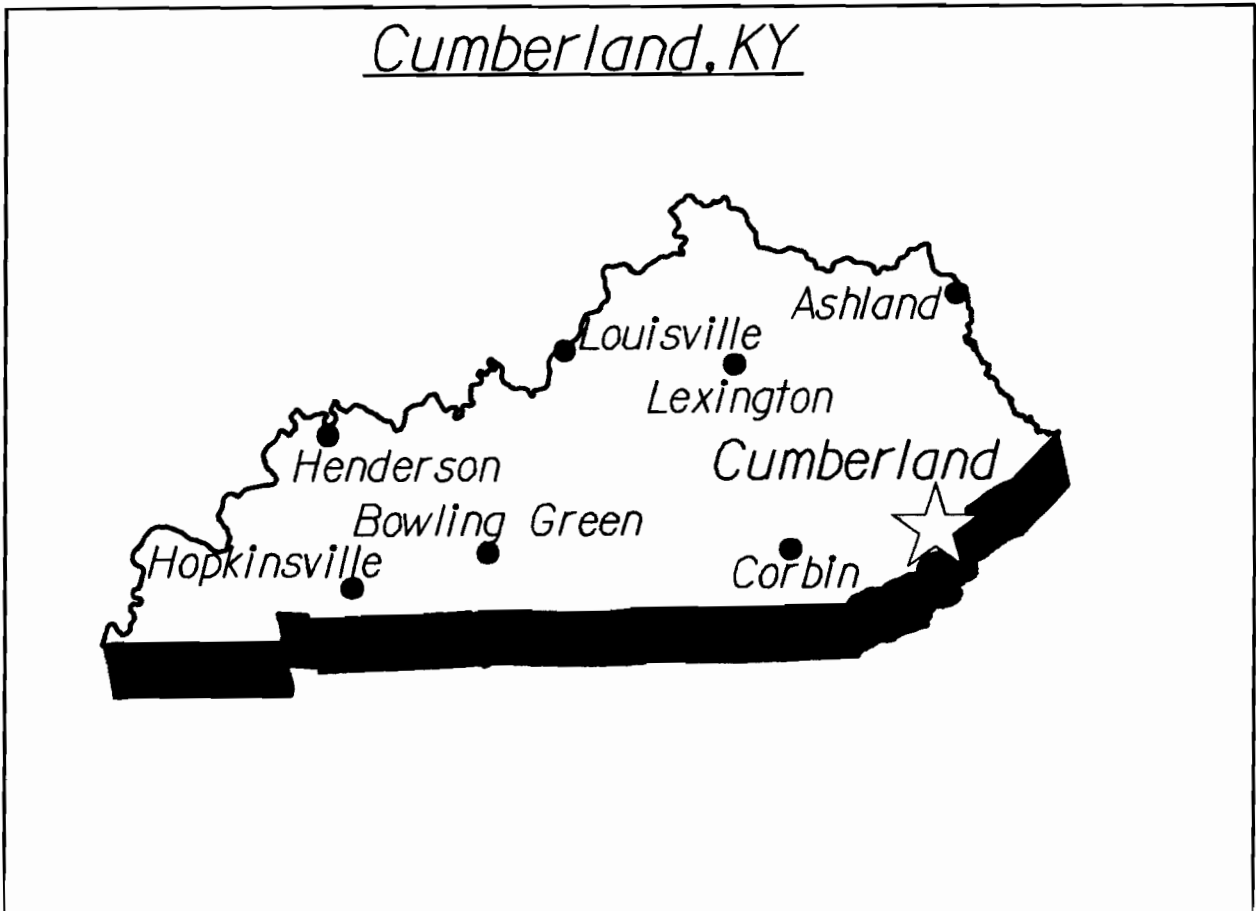
SCALE: 1" = 2 Miles

Revised: Jan. 20, 2006
Drawn By: L. Fenwick

To Switchback



Cumberland, KY



AREA MAP

Proposed Abandonment of 12.5 Miles +/-
STB Docket No. AB 55 - Sub. No. 667X
Harlan County, Kentucky

SOUTHERN REGION - HUNTINGTON WEST DIVISION - CUMBERLAND SUBDIVISION